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FAIR POLITICAL PRACTICES COMMISSION
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BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of)	FPPC No.: 01/612
RESIDENTIAL BUILDERS ASSOCIATION)	
OF SAN FRANCISCO, RESIDENTIAL)	STIPULATION, DECISION and
BUILDERS ASSOCIATION OF SAN)	ORDER
FRANCISCO PAC, AND JOE CASSIDY,)	
Respondents.)	
)	
)	
)	

Complainant, Mark Krausse, Executive Director of the Fair Political Practices Commission, and Respondents Residential Builders Association of San Francisco, Residential Builders Association of San Francisco PAC, and Joe Cassidy, hereby agree that this stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this stipulation to resolve all factual and legal issues raised by this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

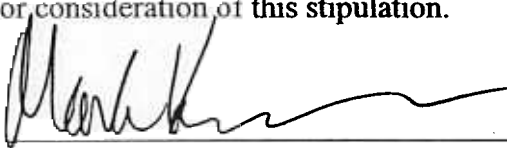
Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in sections 83115.5, 11503, and 11523 of the Government Code, and in section 18361 of title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally

1 appear at any administrative hearing held in this matter, to be represented by an attorney at
2 Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to
3 subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over
4 the hearing as a hearing officer, and to have the matter judicially reviewed.

5 It is further stipulated and agreed that Respondents violated the Political Reform Act by failing
6 to properly report contributor information, in violation of Government Code section 84211, subdivision
7 (f) (six counts); by failing to file a late contribution report, in violation of Government Code section
8 84203, subdivision (a) (one count); by failing to send major donor notifications, in violation of
9 Government Code section 84105 (twelve counts); and by making prohibited loans of campaign funds, in
10 violation of Government Code section 89515 (three counts), as described in Exhibit 1. Exhibit 1 is
11 attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and
12 accurate summary of the facts in this matter.

13 Respondents agree to the issuance of the decision and order, which is attached hereto.
14 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
15 of Forty-seven Thousand Dollars (\$47,000). A cashier's check from Respondents in said amount, made
16 payable to the "General Fund of the State of California," is submitted with this stipulation as full
17 payment of the administrative penalty, and shall be held by the State of California until the Commission
18 issues its decision and order regarding this matter. The parties agree that in the event the Commission
19 refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days
20 after the Commission meeting at which the stipulation is rejected, all payments tendered by Respondents
21 in connection with this stipulation shall be reimbursed to Respondents. Respondents further stipulate
22 and agree that in the event the Commission rejects the stipulation and a full evidentiary hearing before
23 the Commission becomes necessary, neither any member of the Commission, nor the Executive
24 Director, shall be disqualified because of prior consideration of this stipulation.

25
26 Dated: May 24, 2004


Mark Krausse, Executive Director
Fair Political Practices Commission

1 Dated: May 13, 04

Joe O'Donoghue
Joe O'Donoghue, President, Residential Builders
Association of San Francisco, Respondent

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4 Dated: 5/04/04

Joe Cassidy
Joe Cassidy, individually and on behalf of Residential
Builders Association of San Francisco PAC, Respondents

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6
7 Dated: 5/14/04

Sharon Douglass Mayo
Sharon Douglass Mayo, Arnold & Porter, Attorneys for
Respondents

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12 **DECISION AND ORDER**

13 The foregoing stipulation of the parties "In the Matter of Residential Builders Association of San
14 Francisco, Residential Builders Association of San Francisco PAC, and Joe Cassidy, FPPC No. 01/612,"
15 including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political
16 Practices Commission, effective upon execution below by the Chairman.

17
18 IT IS SO ORDERED.

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20
21 Dated: _____

Liane M. Randolph, Chairman
Fair Political Practices Commission